

REMARKS

The patentability of Claims 1-3, 6-9, and 13-14, has been rejected, pursuant to 35 U.S.C. § 102(b) as being anticipated by Guérin (FR 2594794).

It is respectfully submitted that Guérin does not anticipate said Claims because Guérin does not expressly or inherently describe each and every element of the Claims.

Claim 1

An element of Claim 1 is a "flexible band, characterized in that the flexible band is tensioned between fingers."

Guérin does not expressly or inherently describe the use of the flexible band of Claim 1. The Office Action has defined parts 49 and 50 of Guérin as constituting the "flexible band" of Claim 1. However, the Office Action has defined parts 49 and 50 of Guérin as also constituting the "fingers" of Claim 1. Claim 1 requires the "flexible band" to be "tensioned between fingers." If parts 49 and 50 of Guérin constitute both the "flexible band" and the "fingers" of Claim 1, then it is physically impossible for parts 49 and 50 to be "tensioned" between themselves. The "flexible band" and the "fingers" of Claim 1 are separate elements and the Office Action has failed to take this into account. In any event, parts 49 and 50 are not contiguous and, therefore, do not constitute a "band." Moreover, there is no indication that parts 49 and 50 are "flexible." Consequently, Guérin cannot anticipate Claim 1.

Claims 2, 3, 6, 7, and 8

Claims 2, 3, 6, 7, and 8 depend on Claim 1 and, therefore, shares the "flexible band, characterized in that the flexible band is tensioned between fingers" element, which Guérin does not describe. Consequently, Guérin cannot anticipate Claims 2, 3, 6, 7, and 8.

Claim 6 – Part 2

In addition, an element of Claim 6 is the "movement mechanism for moving the gripper and the rollers relative to each other."

Guérin does not expressly or inherently describe the movement mechanism of Claim 6. The Office Action has defined the "movement mechanism" of Guérin as constituting parts 55 and 50. In addition, the Office Action has defined the "gripper" of Guérin as constituting parts 49 and 50 and the "rollers" of Claim 6 as constituting parts 41 and 42. Although parts 55 and 50 of Guérin constitute a "movement mechanism" in the sense that they move about their respective axes 56 and 52, parts 55 and 50 do not permit the movement of the gripper 49 and 50 and the rollers 41 and 42 "relative to each other" as Claim 6 requires. Rather, parts 55 and 50 only permit the movement of the gripper 49 and 50 relative to the rollers 41 and 42—not vice versa. Consequently, Guérin cannot anticipate Claim 6.

Claim 8 – Part 2

In addition, an element of Claim 8 is the "stop which is coupled to a frame in which the rollers are mounted."

Guérin does not expressly or inherently describe the stop of Claim 8. The Office Action has defined the "stop" of Guérin as constituting part 55. In addition, the Office Action has defined the "rollers" of Claim 6 as constituting parts 41 and 42. However, Guérin does not describe part 55 as stopping anything. Even assuming that part 55 stops something, Guérin does not disclose that part 55 is coupled to a frame on which the rollers 41 and 42 are mounted. Consequently, Guérin cannot anticipate Claim 8.

Claim 9

An element of Claim 9 is "at least a part of a flexible band ... tensioned between the fingers."

Guérin does not expressly or inherently describe the flexible band of Claim 9. The Office Action has defined parts 49 and 50 of Guérin as constituting the "flexible band" of Claim 9. However, the Office Action has defined parts 49 and 50 of Guérin as also constituting the "pair of fingers" of Claim 9. Claim 9 requires the "flexible band" to be "tensioned between the fingers." If parts 49 and 50 of Guérin constitute both the "flexible band" and the "fingers" of Claim 9, then it is physically impossible for parts 49 and 50 to be "tensioned" between themselves. The "flexible band" and "the fingers" of Claim 9 are separate elements and the Office Action has failed to take this into account. In any event, parts 49 and 50 are not contiguous and, therefore, do not constitute a "band." Moreover, there is no indication that parts 49 and 50 are "flexible." Consequently, Guérin cannot anticipate Claim 9.

Claim 13

An element of Claim 13 is the use of a "flexible band, characterized in that the flexible band is tensioned between fingers."

Guérin does not expressly or inherently describe the use of the flexible band of Claim 13. The Office Action has defined parts 49 and 50 of Guérin as constituting the "flexible band" of Claim 13. However, the Office Action has defined parts 49 and 50 of Guérin as also constituting the "fingers" of Claim 13. Claim 13 requires the "flexible band" to be "tensioned between fingers." If parts 49 and 50 of Guérin constitute both the "flexible band" and the "fingers" of Claim 13, then it is physically impossible for parts 49 and 50 to be "tensioned" between themselves. The "flexible band" and the "fingers" of Claim 13 are separate elements and the Office Action has failed to take this into account. In any event, parts 49 and 50 are not contiguous and, therefore, do not constitute a "band." Moreover, there is no indication that parts 49 and 50 are "flexible." Consequently, Guérin cannot anticipate Claim 13.

Claim 14

Claim 14 depends on Claim 13 and, therefore, shares the "flexible band, characterized in that the flexible band is tensioned between fingers" element, which Guérin does not describe. Consequently, Guérin cannot anticipate Claim 14.

Respectfully submitted,

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